

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

FILED
2012 AUG 27 P 2:20
RICHARD W. WIERING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

Wells Fargo Bank,

Plaintiff,

v.

Case No.: C12-4065

SI

Michele E. Lamirande, et al.,

Defendants.

Michele E. Lamirande,

Counter-Plaintiff,

v.

Wells Fargo Bank,

Counter-Defendant.

RESPONSE TO THIS COURT'S ORDER TO SHOW CAUSE

Counter-Plaintiff Michele Lamirande hereby responds to this Court's Order to Show Cause, as follows:

1. On Tuesday August 27, 2012 Lamirande filed with this Court her Verified Counterclaim against the Counter-Defendant, Wells Fargo Bank.
2. On that same day Lamirande served her lawsuit upon the Counter-Defendant.
3. The elements of this Court's jurisdiction appear upon the face of Lamirande's Counterclaim. At point 1 of the Counterclaim, Lamirande states:

A. The Nature of the Action

1. This is an action for triple damages, costs and attorney fees under 18 U.S.C. § 1964(c) of the Federal Racketeer Influenced and Corrupt Organizations Act

(RICO), 18 U.S.C. §§ 1961-1968, arising out of an ongoing pattern of mortgage fraud being conducted by the Counter-Defendant and the non-party malfeasants in violation of 18 U.S.C. § 1962(c), 18 U.S.C. § 1001, and California Penal Code § 532f.

4. At points 3 and 4 of the Counterclaim, Lamirande states:

C. Jurisdiction and Venue

3. This Court has subject matter jurisdiction over the action and certain claims herein according to 18 U.S.C. § 1965, 18 U.S.C. § 1964(c), 18 U.S.C. § 1962(c), 18 U.S.C. § 1001, and 28 U.S.C. § 1331 because they arise under the laws of the United States; and over other claims herein according to supplemental jurisdiction, 28 U.S.C. § 1367.

4. Venue is proper in this judicial district according to 28 U.S.C. § 1391(b) and 18 U.S.C. § 1965 over the mortgage fraud conducted as part of a nationwide pattern of racketeering activity, affecting the rights and title to the subject property located in San Mateo County.

For these reasons, this Court should retain the case on the docket and not remand the case back to State court.



Michele E. Lamirande
823 Sonora Avenue
El Granada, California 94018

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**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

PROOF OF SERVICE

I am over the age of 18 and not a party to this action.

I am a resident of or employed in the county where the mailing occurred; my
business/residence address is: 823 Sonora Avenue, El Granada, CA 94018

On this 27th day of August, 2012, I served the foregoing document(s) described as:

RESPONSE TO THIS COURT'S ORDER TO SHOW CAUSE

to the following party:

MARY ELLMANN TANG, ESQ.,
LAW OFFICE OF MARY ELLMANN TANG,
111 Deerwood Road, Suite 305
San Ramon, CA 94583
(Attorney for Plaintiff WELLS FARGO BANK, N.A.)

By U.S. Mail and I deposited such envelope in the mail at El Granada, California with postage
thereon fully prepaid.

I declare under penalty of perjury under the laws of the State of California that the
foregoing is true and correct.

DATED: 8/27/12

Michele Lamirande

Name: Michele Lamirande